

**UNITED STATES COURT OF APPEALS  
FOR THE EIGHTH CIRCUIT**

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No: 17-8028

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Tenner Murphy, by his Guardians Kay and Richard Murphy; Marrie Bottelson; Dionne Swanson,  
and on behalf of others similarly situated

Respondents

v.

Emily Johnson Piper, in her capacity as Commissioner of the Minnesota Department of Human  
Services

Petitioner

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Appeal from U.S. District Court for the District of Minnesota - Minneapolis  
(0:16-cv-02623-DWF)

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**JUDGMENT**

Before BENTON, MURPHY and SHEPHERD, Circuit Judges.

The petition for permission to appeal has been considered by the court and is denied.

Mandate shall issue forthwith.

November 15, 2017

Order Entered at the Direction of the Court:  
Clerk, U.S. Court of Appeals, Eighth Circuit.

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/s/ Michael E. Gans